

The Senate Transportation Committee offered the following substitute to HB 1412:

A BILL TO BE ENTITLED  
AN ACT

To amend Article 10 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to contracts and purchases by public schools, so as to require the use of biodiesel fuels in certain vehicles operated by local school districts; to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, so as to require the use of biodiesel fuels in certain vehicles operated by local governments; to amend Article 1 of Chapter 19 of Title 50 of the Official Code of Georgia Annotated, relating to purchase and use of motor vehicles by state government, so as to require the use of biodiesel fuels in certain vehicles operated by state government; to provide legislative findings and declarations; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

The General Assembly finds and declares as follows:

- (1) Georgia currently consumes nearly 6.5 billion gallons of gasoline and diesel fuel annually;
- (2) Gasoline and diesel production depends primarily on imported petroleum;
- (3) Using clean alternative fuels instead of fossil fuels can provide for a cleaner environment by reducing air and water contamination;
- (4) Specifically, use of clean renewable fuels such as biodiesel and ethanol can provide additional benefits for this state;
- (5) This state has the potential to create a biofuels industry that would serve as a model for the southern United States and attract additional industries;
- (6) Biofuels industry could add over \$1 billion of economic activity to this state and increase the state's income tax collection by over \$10 million annually;
- (7) Nearly 500 direct and over 1,000 indirect jobs could be created by biofuels industry in this state; and

(8) Creating a biofuels industry can add additional value to Georgia's agricultural and forestry commodities, including biomass, and support land values in rural areas of this state.

## SECTION 2.

Article 10 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to contracts and purchases by public schools, is amended by inserting a new Code section to read as follows:

"20-2-504.1.

(a) As used in this Code section, the term:

(1) 'Biodiesel blend' means a blend of petroleum diesel fuel and biodiesel fuel.

(2) 'Biodiesel fuel' means a fuel that meets the specifications of American Society for Testing and Materials Standard D 6751.

(b) On and after January 1, 2008, at least 2 percent of the total volume of fuel purchased annually by each local school district for use in diesel engine motor vehicles it operates shall be biodiesel fuel, to the extent that biodiesel blend is available and compatible with the technology of the vehicles or equipment used and the cost to the local school district of available biodiesel blend at time of purchase does not exceed the cost to the local school district of unblended petroleum diesel fuel at such time. This subsection shall apply to local school districts that receive state funds."

## SECTION 3.

Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, is amended by adding a new Code section to read as follows:

"36-60-24.

(a) As used in this Code section, the term:

(1) 'Biodiesel blend' means a blend of petroleum diesel fuel and biodiesel fuel.

(2) 'Biodiesel fuel' means a fuel that meets the specifications of American Society for Testing and Materials Standard D 6751.

(b) On and after January 1, 2008, at least 2 percent of the total volume of fuel purchased annually by each county, municipality, or consolidated government or authority thereof for use in diesel engine motor vehicles it operates shall be biodiesel fuel, to the extent that biodiesel blend is available and compatible with the technology of the vehicles or equipment used and the cost to the local government of available biodiesel blend at time

1 of purchase does not exceed the cost to the local government of unblended petroleum diesel  
2 fuel at such time."

3 **SECTION 4.**

4 Article 1 of Chapter 19 of Title 50 of the Official Code of Georgia Annotated, relating to  
5 purchase and use of motor vehicles by state government, is amended by inserting a new Code  
6 section to read as follows:

7 "50-19-6.1.

8 (a) As used in this Code section, the term:

9 (1) 'Biodiesel blend' means a blend of petroleum diesel fuel and biodiesel fuel.

10 (2) 'Biodiesel fuel' means a fuel that meets the specifications of American Society for  
11 Testing and Materials Standard D 6751.

12 (b) On and after January 1, 2008, at least 2 percent of the total volume of fuel purchased  
13 annually by each department, commission, board, bureau, authority, or agency of the state  
14 for use in diesel engine motor vehicles it operates shall be biodiesel fuel, to the extent that  
15 biodiesel blend is available and compatible with the technology of the vehicles or  
16 equipment used and the cost to the state government entity of available biodiesel blend at  
17 time of purchase does not exceed the cost to the state government entity of unblended  
18 petroleum diesel fuel at such time."

19 **SECTION 5.**

20 All laws and parts of laws in conflict with this Act are repealed.